

**MANUFACTURING BUILDING**

4958 Stout Drive
San Antonio, TX 78219
Phone (210) 255-4545
Fax (210) 255-4440

Fax Cover Sheet

CONFIDENTIALITY NOTICE: The documents accompanying this telecopy transmission contain confidential information which is legally privileged. The information is intended only for the use of the recipient named below. If you have received this telecopy in error, please immediately notify us by telephone, to arrange for return of the original documents to us, and you are hereby notified that any disclosure, copying distribution, or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited.

DATE: June 16, 2003

TO: TC 3600: MAIL STOP NON-FEE AMENDMENT **FAX:** 703-872-9326

FROM: Eric W. Cernyar **PHONE:** 210-863-0063

Number of pages including cover sheet: 5

FAX RECEIVED

JUN 17 2003

GROUP 3600**Official**

Mailing:
P.O. Box 639508
San Antonio, Texas 78265-9508
1-800-531-5369/Fax 210-255-4450

Corporate:
8023 Vantage Drive
San Antonio, Texas 78230-4726
(210) 524-9000

Manufacturing:
4958 Stout Drive
San Antonio, Texas 78219-4334
(210) 662-0215



Eric W. Cernyar
Kinetic Concepts, Inc.
P.O. Box 659508
San Antonio, TX 78265

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: United States Patent Application
Serial No.: 09/701,739
Entitled: A THERAPEUTIC BED
Date Filed: June 3, 1999 (I.A. filing date)
Our Reference No.: ROT.503

Dear Sir:

Enclosed for filing are the following documents:

1. Transmittal Form; and
2. Response to Office Action.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Eric W. Cernyar'.
Eric W. Cernyar
Reg. No. 45,919

Enclosures

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/701,739
	Filing Date	June 3, 1999
	First Named Inventor	Patrick Connolly
	Art Unit	3673
	Examiner Name	Michael Trettel
Total Number of Pages in This Submission	Attorney Docket Number	ROT.503.US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Eric W. Cornyar, Reg. No. 45,919
Signature	<i>Eric W. Cornyar</i>
Date	June 16, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: June 16, 2003	
Typed or printed	Eric W. Cornyar
Signature	<i>Eric W. Cornyar</i>
Date	June 16, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

#17
Reg for Ben
7/19/03
B

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Connolly, *et al.*

Serial No.: 09/701,739

Filed: June 3, 1999

For: A Therapeutic Bed

§ Examiner: Trettel, Michael
§
§ Group Art Unit: 3673
§
§ Attorney Docket No.: ROT.503.US
§
§
§

RESPONSE TO 3-24-03 OFFICE ACTION

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATUS OF THE CLAIMS

In his March 23, 2003, Office Action, the Examiner allowed claims 1, 2, 4, 6, 7, 9-20, and 22 of the Application. Claims 23-60 were rejected under 35 U.S.C. § 102(b) as anticipated by the published PCT application to Connolly (WO 97/22323).

REMARKS

The Applicants thanks the Examiner for the allowance of claims 1, 2, 4, 6, 7, 9-20, and 22, of the Application.

On May 8, 2002, the specification was amended by adding not only claims 23-60, but also a claim for priority to the PCT application to Connolly (PCT/IE96/00087; WO 97/22323) and the Irish application on which it is based. To perfect the claim for priority, on July 16, 2002, the signed supplemental declaration of Una Connolly, on behalf of her deceased husband, was submitted, along with a 37 C.F.R. § 1.47 petition to accept Una Connolly's inventorship declaration.